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5 Attorney for Defendant  
6 and Counterclaimant  
STEPHANIE DODSON

7  
8 UNITED STATES DISTRICT COURT  
9 NORTHERN DISTRICT OF CALIFORNIA  
10

11 In re: ) Case No. 05-32929  
12 )  
13 ALEXANDER N. POPOV, ) Chapter 7  
14 Debtor. )  
\_\_\_\_\_)  
15 ) A.P. No. C-08-225-SC  
YUGEN KAISAH, Y.K.F. )  
16 ) **NOTICE OF MOTION OF STEPHANIE**  
17 STEPHANIE DODSON, ) **DODSON FOR (1) ABSTENTION, OR,**  
18 Defendant. ) **ALTERNATIVELY, (2) FOR A STAY,**  
\_\_\_\_\_) **AND (3) SECURITY FOR COSTS**  
19 ) Date: April 25, 2008  
STEPHANIE DODSON, ) Time: 10:00 a.m.  
20 Counterclaimant, ) Court: Judge Conti  
21 vs. )  
22 YUGEN KAISAH, Y.K.F. )  
23 Claimant. )  
\_\_\_\_\_)

24 TO ALL PARTIES AND TO THEIR ATTORNEYS OF RECORD:

25 PLEASE TAKE NOTICE that on April 25, 2008 at 10:00 a.m., or  
26 soon as the matter can be heard, in the courtroom of the  
27 Honorable Samuel Conti, at 450 Golden Gate Avenue, San Francisco,  
28

CA 94102, defendant and counterclaimant, STEPHANIE DODSON

1 ("Dodson"), will and hereby does move the Court (1) to abstain  
2 from hearing this bankruptcy adversary proceeding for which  
3 Bankruptcy Judge Thomas Carlson has withdrawn the bankruptcy  
4 reference, or, alternatively, (2) for an order staying the  
5 proceeding because of plaintiff, YUGEN KAISAH, Y.K.F. ("YKF"), has  
6 failed to qualify to do business in the State of California,  
7 although it is doing business in the State, and (3) to compel YKF  
8 to furnish security for costs (the "Motion").  
9

10 The Motion is brought, under 28 U.S.C. Sec. 1334, on the  
11 grounds that abstention by the Court will serve the interests of  
12 justice and the parties, and, alternatively, on the grounds that  
13 YKF cannot maintain this proceeding because it has failed to  
14 qualify to do business in California, and on the grounds that, as  
15 a foreign company suing a California resident in a court in  
16 California, YKF should furnish security for costs.

17 The Motion will be based on this Notice and the Motion  
18 itself, and upon the records and pleadings in this proceeding,  
19 and upon such arguments and evidence as may be adduced at the  
20 hearing on the Motion.  
21

22 Dated: February 29, 2008

THE LAW OFFICE OF JOEL K. BELWAY  
Professional Corporation

24 /s/ Joel K. Belway

25 JOEL K. BELWAY

Attorney for Stephanie Dodson  
26  
27  
28

**DECLARATION OF SERVICE**

I am over the age of eighteen years and not a party to the within action. On February 29, 2008, I served the attached **Notice of Motion of Stephanie Dodson for (1) Abstention, or Alternatively, (2) for a Stay, and (3) for Security for Costs** on the interested parties in this action by placing true copies thereof in sealed envelopes and transmitting said envelopes to the following addresses by the means indicated:

Via First-Class U.S. Mail

James S. Monroe, Esq.  
Gregory E. Schopf, Esq.  
NIXON PEABODY LLP  
One Embarcadero Center, Suite 1800  
San Francisco, CA 94111-3996

Mark D. Byrne, Esq.  
Triano & Byrne  
25 Jessie Street  
16<sup>th</sup> Floor  
San Francisco, CA 94105-2749

I declare under penalty of perjury that the foregoing is true and correct. Executed on February 29, 2007, at San Francisco, California.

\s\ Joel K. Belway